IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Crl.MC.No. 1794 of 2004

AGAINST THE ORDER DATED 28/06/2004 IN CRMP 1207/04 IN SC.584/2000 of SESSIONS COURT, TRIVANDRUM

.....

PETITIONER/COMPLAINANT:

THE INTELLIGENCE OFFICER,
NARCOTIC CONTROL BUREAU, REGIONAL
INTELLIGENCE UNIT, THIRUVANANTHAPURAM.

BY ADV. SRI.V.K.MOHANAN

RESPONDENT/3RD ACCUSED:

M.A.K.AZIF, 108, CHOICE HEIGHS,
BAINS COMPOUND, NANTHENCODE,
THIRUVANANTHAPURAM.

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 10/08/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

Crl.M.C.No. 1794 of 2004

ORDER

Petitioner is the complainant in S.C.No.584/00 on the file of the Sessions Court, Thiruvananthapuram. The offences alleged against the respondent/third accused and two others are under Sections 21(b), 23(b), 27A, 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Respondent is the third accused in the case. This Crl.M.C. is filed praying for an order to cancel the bail granted to the respondent/ third accused by the Sessions Judge, vide Annexure-II order dated 28.6.2004. In this Crl.M.C., filed on 9.7.2004, no effort at all is taken by the petitioner, namely, the Intelligence Officer, Narcotic Control Bureau, Thiruvananthapuram, to have notice served on the respondent and now more than three years have elapsed after filing of this Crl.M.C. No purpose will be served, after such a long time, in cancelling the bail granted to the respondent/third accused.

In the result, this Crl.M.C. is devoid of merit for being prosecuted further and is, hence, dismissed.

10th August, 2007 (K.P.Balachandran, Judge)

tkv